

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA)	CASE NO. 5:07 CR 69
)	
PLAINTIFF)	JUDGE PETER C. ECONOMUS
)	
v.)	
)	
JAMES STOVER)	ORDER
)	
DEFENDANT)	

This matter is before the Court upon defense counsel's Motion to Withdraw, see (Dkt. # 21), and Defendant's *pro se* motion for appointment of counsel, see, (Dkt. # 16). The Defendant asserts that he would like the Court to appoint a different attorney than current counsel Charles W. Olminsky, Jr.

The district court must make a factual inquiry into the reasons behind a defense counsel's motion to remove counsel. See United States v. Iles, 906 F.2d 1122, 1130 n.8 (6th Cir. 1990). When counsel makes a good faith motion requesting that a discharge and new counsel appointed, the district court has a responsibility to determine the reasons for the request. Id. at 1130. Upon a showing of "good cause," the district court should grant the motion. See United States v. Jennings, 945 F.2d 129, 132 (6th Cir. 1991).

Upon consideration of the facts presented to the Court and placed into the record, the Court hereby determines that there exists good cause to grant Mr. Olminsky's request to withdraw and Mr. Stover's request for new counsel.

Accordingly, the Court hereby orders that the Defendant's request to withdraw as counsel is **GRANTED**. (Dkt. # 21). The Court further orders that Joseph Gardner is appointed as counsel for the Defendant.

IT IS SO ORDERED.

/s/ Peter C. Economus - April 16, 2007

PETER C. ECONOMUS

UNITED STATES DISTRICT JUDGE